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EXAMINER

CHOW, CHARLES CHIANG

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/342,843

**Applicant(s)**

KNUUTILA ET AL.

**Examiner**

Charles Chow

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19,39,42,45,48 and 50 is/are allowed.
- 6) ☒ Claim(s) 1,2,4-18,21,22,24-38,41,43,44,46,47 and 49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**Detailed Action**  
(Response to amendment received 5/31/2005)

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 4-5, 9, 11-13, 15, 17-18, 21, 24-25, 29-33, 37, 41, 43-44, 46-47, 49 are rejected under 35 U.S.C. 102(e) as being anticipated by Peterson et al. (US 6,072,788).

Regarding **claim 1**, Peterson teaches a method and apparatus for controlling a transmitter of a portable radio communication apparatus [ Fig. 1, abstract, col. 2, lines 27-39, forward transmitting power control of mobile base transceiver station BTS], for communication in a radio communication network (TDMA) employing transmission by a plurality of carrier frequencies in frames [ the plurality of rf channels and interfering each other on user frequency channel, col. 4, lines 40-60; with number of burst period in a frame, col. 4, lines 24-39], each including a predetermined time slots, the transmitter transmitting data burst during one or more of said time slots in a frame [ the 3, 6, 8 time slot, burst period, per frame, col. 4, lines 61-67], comprising monitoring at least one criterion associated with heat generated by the transmitter [ the DCC monitors all three burst period to adjust transmitting power level, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59; It is inherent when the burst rate, is increased, the heat is increased, such as in applicant's specification, paragraph 0008], providing a signal responsive to the at least one monitored criterion [ number of transmitted data burst in a frame, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59] for controlling at least on output criterion [output power level] of the transmitter

[ the independent transmitting output power level adjust for the 2 burst period, for the 3 burst period, col. 12, lines 13-24].

Regarding **claims 4, 24**, Peterson teaches the monitored criterion comprises the at least one output criterion [ transmitting power level] comprises the power output of the transmitter [col. 12, lines 13-24].

\*Regarding **claims 5, 25**, Peterson teaches the if the monitored criterion exceeds a predetermined limit then the power output of the transmitter is decreased [ lower power adjustment, col. 3, lines 30-36]

Regarding **claims 9, 17, 18, 29, 30**, Peterson teaches the monitoring is performed by the portable radio communication apparatus [ the mobile communication unit performs the monitoring, col. 2, lines 8-9, the communication device in col. 9, lines 2-18; the monitoring is performed in communication network TDMA network, col. 4, lines 14-20; col. 4, lines 40-49].

Regarding **claim 11**, Peterson teaches a method and apparatus for controlling a transmitter of a portable radio communication apparatus [ Fig. 1, abstract, col. 2, lines 27-39, forward transmitting power control of mobile base transceiver station BTS], for communication in a radio communication network (TDMA) employing transmission by a plurality of carrier frequencies in frames [ the plurality of rf channels and interfering each other on user frequency channel, col. 4, lines 40-60; with number of burst period in a frame, col. 4, lines 24-39], each including a predetermined time slots, the transmitter transmitting data burst during one or more of said time slots in a frame [ the 3, 6, 8 time slot, burst period, per frame, col. 4, lines 61-67], the method comprising monitoring the number of data bursts transmitted on time slots in a frame, comparing the monitored number with a predetermined limit [ 2, 3 burst period] and changing the operation of the transmitter [ transmitter output power lever] if the monitored number falls outside the predetermined limit

[the comparing 2, 3 burst period limit; the DCC monitors all three burst period to adjust transmitting power level, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59; the number of transmitted data burst in a frame, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59; the independent transmitting output power level adjust for the 2 burst period, for the 3 burst period, col. 12, lines 13-24].

Regarding **claim 12**, Peterson teaches the monitoring of the number of data burst transmitted on time slots in a frame is performed over a predetermined period of time or predetermined number of frames [ the monitoring of data burst in 2, 3 burst period, col. 12, lines 13-24; col. 4, lines 24-39; col. 4, lines 50-67].

Regarding **claim 13**, Peterson teaches the changing the operation of the transmitter comprises controlling of the output power of the transmitter [ the providing a changed different power control for the transmission power level, col. 12, lines 13-24].

Regarding **claim 15**, Peterson teaches the changing the operation of the transmitter comprises controlling the number of data bursts transmitted on time slots in a frame [ change between 2 or 3 burst period for different power output level, col. 12, lines 13-14].

Regarding **claim 21**, Peterson teaches a method and apparatus for controlling a transmitter of a portable radio communication apparatus [ Fig. 1, abstract, col. 2, lines 27-39, forward transmitting power control of mobile base transceiver station BTS], for communication in a radio communication network (TDMA) employing transmission by a plurality of carrier frequencies in frames [ the plurality of rf channels and interfering each other on user frequency channel, col. 4, lines 40-60; with number of burst period in a frame, col. 4, lines 24-39], each including a predetermined time slots, the transmitter transmitting data burst during one or more of said time slots in a frame [ the 3, 6, 8 time slot, burst period, per frame, col. 4, lines 61-67], the system including monitoring means for monitoring

at least one criterion associated with heat generated by the transmitter [ the DCC monitors all three burst period to adjust transmitting power level, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59; It is inherent when the burst rate, is increased, the heat is increased, such as in applicant's specification, paragraph 0008], at least one output criterion of the transmitter being responsive to the at least one monitored criterion, wherein one of the at least monitored criterion comprises the number of transmitted data burst in a frame [ number of transmitted data burst in a frame, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59; the independent transmitting output power level adjust for the 2 burst period, for the 3 burst period, col. 12, lines 13-24].

Regarding **claim 31**, Peterson teaches a method and apparatus for controlling a transmitter of a portable radio communication apparatus [ Fig. 1, abstract, col. 2, lines 27-39, forward transmitting power control of mobile base transceiver station BTS], for communication in a radio communication network (TDMA) employing transmission by a plurality of carrier frequencies in frames [ the plurality of rf channels and interfering each other on user frequency channel, col. 4, lines 40-60; with number of burst period in a frame, col. 4, lines 24-39], each including a predetermined time slots, the transmitter transmitting data burst during one or more of said time slots in a frame [ the 3, 6, 8 time slot, burst period, per frame, col. 4, lines 61-67], the system including monitoring means for monitoring means for monitoring the number of data bursts transmitted on time slots in a frame, a comparator [ DCC 201] for comparing the monitored number of transmitted data bursts with a predetermined limit [ 2, 3 burst period], and a processor [DCC 201] for changing the operation of the transmitter if the monitored of transmitted data bursts falls outside the predetermined limit [ the comparing 2, 3 burst period limit; the DCC monitors all three burst period to adjust transmitting power level, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59;

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the number of transmitted data burst in a frame, col. 8, line 59 to col. 9, line 27; col. 9, lines 42 to col. 10, line 8; the independent transmitting output power level adjust for the 2 burst period, for the 3 burst period, col. 12, lines 13-24].

Regarding **claim 32**, Peterson teaches the monitoring of the number of data burst transmitted on time slots in a frame is performed over a predetermined period of time or predetermined number of frames [the monitoring of the number of data burst in 2, 3 burst period in the frame, col. 12, lines 13-24; col. 4, lines 4-39; col. 4, lines 40-67].

Regarding **claims 33, 37**, Peterson teaches the processor [DCC 201] controls the power output of the transmitter [ col. 8, line 59 to col. 9, line 27; col. 9, lines 42 to col. 10, line 8]; the monitoring means, comparator and the processor [DCC 201, for monitoring the burst period to control the transmitting power level by switching to the appropriate burst period, col. 9, lines 19-27; col. 8, line 59 to col. 9, line 27; col. 9, lines 42 to col. 10, line 8].

Regarding **claim 41**, Peterson teaches a method and apparatus for controlling a transmitter of a portable radio communication apparatus [ Fig. 1, abstract, col. 2, lines 27-39, forward transmitting power control of mobile base transceiver station BTS], for communication in a radio communication network (TDMA) employing transmission by a plurality of carrier frequencies in frames [ the plurality of rf channels and interfering each other on user frequency channel, col. 4, lines 40-60; with number of burst period in a frame, col. 4, lines 24-39], each including a predetermined time slots, the transmitter transmitting data burst during one or more of said time slots in a frame [ the 3, 6, 8 time slot, burst period, per frame, col. 4, lines 61-67], comprising monitoring at least one criterion associated with heat generated by the transmitter [ the DCC monitors all three burst period to adjust transmitting power level, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59; It is inherent when the burst rate, is increased, the heat is increased, such as in applicant's

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specification, paragraph 0008], providing a signal responsive to the at least one monitored criterion [ number of transmitted data burst in a frame, col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59] for controlling at least on output criterion [output power level] of the transmitter [ the independent transmitting output power level adjust for the 2 burst period, for the 3 burst period, col. 12, lines 13-24].

Regarding **claims 43-44, 46-47, 49**, Peterson teaches the monitoring is carried out during a transmission (the monitoring of data burst in 2 burst, 2 burs period during transmission, col. 12, lines 13-24].

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 7-8, 16, 22, 27-28, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (US 6,072,788) in view of Gilbert et al. (US 5,519,886).

Regarding **claims 2, 22**, Peterson fail to teach the at least one monitored criterion comprises the temperature of the transmitter. However, Gilbert teaches these features [ the temperature sensor 246 for monitoring the temperature of the rf power amplifier 244, Fig. 2, abstract], for reducing the heat in transmitter by reconfiguring of the transmitting parameter with smaller segmented packets, or delaying the transmitting packet, col. 4, lines 27-47], in order to prevent the damage to the transmitter due to high temperature heating. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Peterson with Gilbert's temperature monitoring , in order to prevent the transmitter being damage by high temperature due to heating.



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Regarding **claims 7, 27**, Gilbert teaches the at least one output criterion comprises the number of data bursts transmitted in a frame (the criterion to segment the output message into smaller packets, portions, of the changing the transmission protocol, col. 4, lines 40-48).

Regarding **claims 8, 16, 28, 36**, Gilbert teaches if monitored criterion exceeds predetermined limit then the number of data bursts transmitted in a frame is decreased; or the controlling of the number of data bursts transmitted on time slot frame comprising decreasing the number of data burst transmitted if the monitored number of transmitted data bursts exceeds a predetermined limit [ the segmenting of the message into smaller packets, portions, of the changing the transmission protocol, col. 4, lines 40-48].

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Funk (US 6,169,884 B1)

Regarding **claim 10**, Peterson fails to teach the monitoring step is performed by the radio communication network. However, Funk teaches theses features, (the monitoring is located in modem, internet, associated with host computer, for the monitoring of the transmitting, receiving data for reducing transmitter power level, col. 4, lines 43-60, col. 6, lines 32-43). Funk teaches the reducing transmitter power by inserting brief pause and monitoring the transmitting, receiving, data at host computer, modem (col. 2, lines 1-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Gilbert, Peterson with Funk's monitoring of transmitting data, such that the temperature for the transmitter could be reduced.

4. Claims 6, 14, 26, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Mitzlaff (US 4,636,741).

Regarding **claims 6, 14, 26**, Peterson to teach the maximum available power output of the transmitter is decreased or controlling of the power output of the transmitter comprising changing the power class mark of the portable radio communication apparatus, However, Mitzlaff teaches these features, a multilevel power amplifying circuit for portable transceiver (title, abstract, figure in cover page). Upon detecting of the presence of vehicular adaptor, the maximum transmission output level of the transmitter is changed (as shown in abstract, Fig. 11, Fig. 13, summary of invention). Mitzlaff teaches the operational class of the transceiver is changed from class 1 to class 3 (as shown in col. 9, line 1-17). Mitzlaff teaches the transmission power level monitoring for maximum power level in order to change the power class between operating class 1 and class 3 (col. 8, line 51 to col. 9, line 45). Mitzlaff teaches a technique for switching the transmitter maximum output power between class 1 and class 3, such that the transmitter can efficiently control the transmitting power, by change the power class level. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Peterson with Mitzlaff's changing of the transmission maximum output power between class 1 and class 3, such that transmitter can efficiently control the transmitting power, by change the power class level.

Regarding **claim 34**, Mitzlaff teaches the controlling of the power output of the transmitter comprising changing the power class mark of the portable radio communication apparatus [ a multilevel power amplifying circuit for portable transceiver, title, abstract, figure in cover page, the microcomputer in 120 for controlling the transmitter, col. 2, lines 49-52, the upon detecting of the presence of vehicular adaptor, the maximum transmission output level of the transmitter is changed (as shown in abstract, Fig. 11, Fig. 13, summary of invention; the operational class of the transceiver is changed from class 1 to class 3, col. 9, line 1-17; the

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transmission power level monitoring for maximum power level in order to change the power class between operating class 1 and class 3, col. 8, line 51 to col. 9, line 45].

5. Claim 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson, and further in view of Chen (US 6,607,458).

Regarding **claim 35**, Peterson fail to teach the processor control the number of data bursts transmitted on the time slot in a frame. Chen teaches these features [ the rate, number of bursts per unit time, and power level are controlled by processor 38, col. 9, lines 66-67]. Chen teaches the improved power control to match the correct transmission data rate (col. 1, line 28-61). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify with Chen's matching transmission rate for the power controlling, such that the correct transmission rate could be matched to the appropriate transmission power level.

6. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson in view of Funk (US 6,169,884 B1).

Regarding **claim 38**, Peterson fails to teach the radio communication network including the monitoring means, comparator, and processor. Funk teaches the radio communication network (the network formed by modem 103, host computer 105, and radio 101) includes the monitoring means, comparator and processor (the microcomputer 109, processor, monitors, compares, the temperature to the high temperature threshold, the inserting brief pause intervals in data transmission, col. 4, lines 22-34, the monitoring of the transmitting, receiving data in the network formed by modem and host computer to insert pauses intervals, col. 4, lines 43-53). Funk teaches the reducing transmitter power by inserting brief

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pause and monitoring the transmitting, receiving, data at host computer, modem (col. 2, lines 1-32). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Gilbert, Peterson, Chen with Funk's monitoring of transmitting data, such that the temperature for the transmitter could be reduced.

### **Allowable Subject Matter**

7. The following is an examiner's statement of reasons for allowance:

The cited references from Peterson, Gilbert, Nagoya are not disclosing the claimed features for the at least one monitoring criterion comprising the number of transmitted data bursts associated with the heat generated by the transmitter, and Gilbert, Nagoya are not combinable (pages 14-16 of applicant amendment).

Claims 19, 39, 42, 45, 48, 50 are allowable over the prior art of record, the prior art fails to teach singly, particularly, or in combination, having foreign priority benefit dated 6/30/1998, with the subject matter for the **monitoring at least one criterion associated with heat generated by the transmitter, and providing a signal responsive to the at least one monitored criterion for controlling at least one output criterion of the transmitter, and wherein one of the at least criterion comprising the number of transmitted data burst in a frame**, as shown in the independent claims 19, 39, 42, for the transmitting of multiple time slots in order to increase the data transfer capability, flexibility in the mobile communication network. The increasing data transfer, data rate, which causes the overdriven of the power amplifier of the mobile station. However, the mobile station still can cope this multiple time slot transmission, by monitoring the criterion, the number of transmitted data burst associated with the heat generated by the transmitter to reduce the number of transmitted data burst or by limiting, controlling, the maximum allowed output

power level of the transmitter, in this way the size of the mobile station can be small without adding the heat sink. The dependent claims are also allowable due to their dependency upon the independent claims and having additional claimed features.

The closest patent to **Peterson (US 6,072,788)** teaches the monitoring of transmitting burst period control for number of burst in the transmitting period for controlling of the transmitter output power lever; the 3, 6, 8 time slot, burst period, per frame [col. 4, lines 61-67]; the DCC monitors all three burst period to adjust transmitting power level [col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59]; the number of transmitted data burst in a frame [col. 8, line 59 to col. 9, line 27; col. 9, lines 42-59]; the independent transmitting output power level adjust for the 2 burst period, for the 3 burst period [col. 12, lines 13-24].

**Gilbert et al. (US 5,519,886)** teaches the controlling the temperature of transmitter 242 via temperature sensor 246 (abstract, Fig. 2) in TDMA system, monitoring of the heat generated by the power amplifier 244 using the temperature sensor 246 (col. 2, lines 50-54), the unacceptable measured temperature provides a signal to modify, change, the transmission parameter (col. 4, lines 27-39), the output criterion for segmenting transmitted message into smaller packets, or for delaying the transmissions of messages or portions col. 4, lines 40-48). Gilbert fails to teach the monitored criterion comprising the number of transmitted data bursts in a frame.

Other prior arts in below has been considered, but they fail to teach the above claimed features.

**Nagoya et al. (US 5,854,971)** teaches Nagoya) teaches the burst monitor circuit 9 (Fig. 1) for monitoring of the burst period length having that number of communication bits as shown in Fig. 4A-4C, Fig. 6A, so as to synchronize the bursting bit period timing with amplifier output level controlled by the attenuator 1 via holding circuit 10 for the number of

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communication bits at the input to the power amplifier 2, to adjust the output power level of the power amplifier 2 (abstract, col. 6, lines 46-52; col. 7, lines 20-35, Fig. 4A-4C, Fig. 6A).

Nagoya fails to teach the monitoring criterion comprising the number of transmitted data bursts, associated with the heat generated by the transmitter.

**Mitzlaff (US 4,636,741)** teaches the multilevel power amplifying circuit for portable transceiver (title, abstract, figure in cover page). Upon detecting of the presence of vehicular adaptor, the maximum transmission output level of the transmitter is changed (abstract, Fig. 11, Fig. 13, summary of invention), the operational class of the transceiver can be changed from class 1 to class 3 (col. 9, line 1-17; col. 8, line 51 to col. 9, line 45).

**Funk (US 6,169,884 B1)** teaches the monitoring function is located in modem, internet, associated with host computer, for the monitoring of the transmitting, receiving data for reducing transmitter power level (col. 4, lines 43-60, col. 6, lines 32-43; col. 2, lines 1-32).

**Mazur et al. (US 6,072,792)** teaches the monitoring of the transmitter power output level for controlling output power of the base station (abstract, col. 1, lines 1-17), the controlling of the downlink power for each time slot (col. 3, line 42-26).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 1-2, 4-18, 21-22, 24-38, 41, 43, 44, 46-47, 49 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant's argument for the no teachings for the at least one monitoring criterion comprising the number of transmitted data bursts, the ground of rejection has been changed

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to include Peterson et al. (US 6,072,788). Peterson et al. teaches the monitored criterion number of transmitted data in 2 burst or 3 burst period in a TDMA frame, which changes from 2 burst period to 3 burst period, causing the change in transmitter operation by changing to a different power level control based on the monitored burst period [ col. 12, line 13-24].

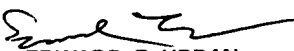
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow C.C.

June 27, 2005.

  
EDWARD F. URBAN  
SUPERVISORY PATENT EXAMINER  
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